EXHIBIT 14



CONFIDENTIAL - ATTORNEYS' EYES ONLY

Transcript of Carson Smith

Date: August 21, 2024

Case: SBI Crypto Co., Ltd. -v- Whinstone US, Inc.

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Transcript of Carson Smith Conducted on August 21, 2024

1 (1 to 4)

_		August 21, 2024
1	1 UNITED STATES DISTRICT COURT	APPEARANCES
2	WESTERN DISTRICT OF TEXAS	
3	WACO DIVISION	2 ON BEHALF OF THE PLAINTIFF:
4		3 Cory Johnson, Esquire
5	SBI CRYPTO CO., LTD.,)	Joshua Sandler, Esquire (Via Zoom)
6	Plaintiff,)	5 WINSTEAD PC
7	VS) CIVIL ACTION NO.) 6:23-cv-252-ADA-JCM	6 2728 North Harwood Street, Suite 500
8	WHINSTONE US, INC.,)	7 Dallas, Texas 75201
9	Defendant.)	8 214.745.5400
10	**************************************	9 ON BEHALF OF THE DEFENDANT:
11	VIDEOTAPED DEPOSITION OF	10 Robert T. Slovak, Esquire
12	CARSON SMITH	11 Brandon C. Marx, Esquire
13	August 21, 2024 CONFIDENTIAL - ATTORNEYS' EYES ONLY	12 FOLEY & LARDNER LLP
14	**************************************	13 2021 McKinney Avenue, Suite 1600
15		14 Dallas, Texas 75201
16		15 214.999.3000
17		16 ON BEHALF OF THE WITNESS:
18		17 K. Reed Mayo, Esquire
19		18 REED MAYO LAW FIRM, P.C.
20		19 4604 Berrywood Road
21 22	Job No. 546220	20 Virginia Beach, Virginia 23464
23	Pages 1 - 371	21 757.621.2216
24	Stenographically Reported by:	
25	Susan S. Klinger, RMR-CRR, CSR	22 Also Present:
20	Subarrative Manager, was districted	23 Patrick Wooding, Esquire - Whinstone
		24 Nicholas Vitalis - SBI Crypto
		25 Jesse Castro, videographer
	2	4
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SBIC0003153 25 Exhibit 5 Email, SBIC0003245

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Transcript of Carson Smith

2 (5 to 8)

Conducted on August 21, 2024

	onducted on Au	9
1 Publish C. H. Marian Continue	5	7
	187	VIDEOGRAPHER: The court reporter today is
2 SBIC0003883	2	Susan Klinger, also representing Planet Depos.
3 Exhibit 7 Whinstone Trip Report, 75		The witness may now be sworn.
4 SBIC0005782	4	CARSON SMITH,
· /	61 5	having been first duly sworn testified as follows:
,	71 6	EXAMINATION
, , , , , , , , , , , , , , , , , , ,	340 7	BY MR. SLOVAK:
· ·	809	Q Good morning, Mr. Smith. How are you?
, , , , , , , , , , , , , , , , , , ,	81 9	0
10 Exhibit 18 Email, SBIC0000068 3	350 10	
11		1 represent Whinstone. You are aware that there is
12	12	2 a lawsuit that exists between SBI Crypto Limited
13	13	3 and Whinstone US, Inc.?
14	14	4 A Yes.
15	15	
16	16	Have you been deposed before?
17	17	7 A No, I have not been deposed.
18	18	8 Q Okay. So I'm going to ask questions. The
19		9 court reporter is going to try to take down
20	20	0 everything that I say. She also is going to try
21	21	1 to take down everything that you say.
22	22	2 So if we can have an agreement not to talk
23	23	3 over one another, I will try to allow you to
24	24	4 finish your answer if you will allow me to finish
25	25	5 my question so she gets everything on the record.
	6	8
1 PROCEEDINGS	1	Can we have that agreement?
2 VIDEOGRAPHER: Here begins Media	Number 1 2	A Okay.
3 in the videotaped deposition of Carson Smit	th in 3	Q And if at any point in time today you
4 the matter of SBI Crypto Co., Ltd. v. Whinst	tone 4	C 1
5 US, Inc. in the United States District Court	for 5	is not clear, just please ask me to clarify. If
6 the Western District of Texas, Waco Division	on, Case 6	you answer the question without asking for
7 Number 6:23-CV-252-ADA-JCM.	7	clarification, we will understand we will
8 Today's date is August 21st, 2024. The	8	assume that you understood it. Can we agree to
9 time on the video monitor is 9:09 a.m. The		that?
10 videographer is Jesse Castro representing P		0 A Can you repeat the last part one more
11 Depos. This video deposition is taking place		1 time?
12 2728 North Harwood Street, Suite 500, Dal		· · · · · · · · · · · · · · · · · · ·
13 Texas 75201.		3 understand and you answer it, I will assume that
Would counsel please voice-identify	14	4 you understood it unless you tell me otherwise.
15 themselves and state whom they represent?	15	
16 MR. SLOVAK: Rob Slovak, along with		
17 Brandon Marx of Foley & Lardner on behalf		7 medications or do you have any physical issues
18 Whinstone US, Inc. Also with us is our in-h		8 that would interfere with your ability to answer
19 lawyer, Patrick Wooding.		9 questions here today truthfully and accurately?
20 MR. MAYO: Reed Mayo on behalf of t		
21 witness, Carson Blake Smith.	21	
22 MR. JOHNSON: Cory Johnson and Jos		2 oath?
23 Sandler via Zoom from Winstead here on be		
24 the plaintiff, SBI Crypto, along with SBI Cry	-	4 Q Okay. Just like you would be in a court 5 of law testifying before a judge or a jury. Do
25 CEO, Nicholas Vitalis.		

Transcript of Carson Smith

8 (29 to 32)

Conducted on August 21, 2024

	August 21, 2024	
29		31
1 A No, I don't think I have.	1 A I can't remember when it was.	
2 Q About any of the operations at Rockdale?	Q How long did it last?	
3 A No.	3 A 15, 30 minutes, if that.	
4 Q The communications the Gmail	4 Q Were any documents reviewed?	
5 communications that you had with Mr. Tanemori	5 A A document of reviewing for the format of	
6 about this lawsuit, were any attorneys copied on	6 a deposition.	
7 those emails?	7 Q Okay. You mean like a video or	
8 A Yes	8 A No.	
9 Q Okay. Which ones?	9 Q Okay. And so other than by the way,	
10 A they were copied. Cory or Matt Hines	10 are you anticipating that SBI will be compensating	
11 would be copied.	11 you for the time that you met with Mr. Mayo to	
12 Q Were those emails at their direction?	12 prepare for the deposition as well?	
13 MR. JOHNSON: Objection, form.	13 A No, I'm not.	
14 A All emails, they were not necessarily at	14 Q Have you been engaged by SBI to serve as	
15 their direction, no.	15 an expert witness in this case?	
16 Q Well, let me ask, does Winstead represent	16 A I have not.	
17 you?	17 Q Okay. Do you intend to do so?	
18 A Winstead does represent me, and they	18 A Currently I do not.	
19 represent SBI Crypto.	19 Q Okay. Have you undertaken any analysis of	
20 Q When did you retain Winstead?	20 any kind to formulate any expert opinions related	
21 A For I don't remember the exact date.	21 to any issues in this lawsuit?	
22 Q Do you have a written engagement agreement	22 MR. JOHNSON: Objection, form.	
23 with Winstead?	23 A I have formulated my own opinions.	
24 A There is a written agreement.	24 Q Okay. And that is fine. We can talk	
25 Q Okay. And do you have a copy of that	25 about those, but I guess my question is, have	
30		32
1 agreement?	1 you have you been asked by SBI to provide	
2 A Winstead should have a copy.	2 expert opinions of any kind in connection with	
3 Q Okay. Do you recall when that agreement	3 this lawsuit?	
4 was reached?	A I have not been contracted to provide	
5 MR. JOHNSON: Objection, form.	5 expert opinions and expert witness.	
6 A No, I don't.	6 Q Okay. And have you undertaken any efforts	
7 Q And you also have a personal attorney	7 to perform a damages analysis associated with this	
8 here, Mr. Mayo, right?	8 lawsuit?	
9 A Yes.	9 A Yes, I have.	
10 Q And why do you have a personal attorney as	10 Q Why?	
11 well?	11 A Just because I originally performed the	
12 MR. JOHNSON: Objection, form.	12 damage analysis at the beginning of the lawsuit	
13 MR. MAYO: Objection.	13 and to run those numbers and to evaluate and	
14 Q You can answer. It is okay.	14 perform my own analysis. I did that.	
15 A Because just I want to have a personal	15 Q Okay. Who asked you to prepare that	
16 attorney.	16 analysis?	
17 Q Okay. And did you in order to prepare	17 A I originally performed the analysis of my	
18 for this deposition, did you also have meetings	18 own will.	
19 with Mr. Mayo?	19 Q Well, you did one recently as well, right?	
20 A For preparation?	20 A Yes.	
21 Q Yes, sir.	21 Q Okay. And why?	
22 A There was one related discussion for that.	22 A That was of my own accord, because the	
23 Q Okay. And I don't want to know about the	23 full analysis the previous analysis didn't	
24 content of the discussion, but when did that take	24 include some variables that I had done previously.	
25 place?	25 Q What variables were those?	

Transcript of Carson Smith

93 (369 to 372)

Conducted on August 21, 2024

answer the next time you ask this question. Go a daeda and answer this question for the fifth time. 3 You can answer. 4 A Please ask the question again. 5 Q I mean 6 MR. SLOVAK: Read it back. 7 (Record read.) 8 MR. JOHNSON: Objection, asked and 9 answered. 10 A 1 did ultimately disclose to them at a 11 later date that we intended to open legal action 12 to them. 13 Q Before they paid you, did you disclose it 14 to them? 15 A Before they paid you, did you disclose it 14 to them? 16 Q Before they paid you the amount that 17 you-all squared up in March of 2022 for 18 outstanding invoices and issues between the 19 parties, did you disclose to them before that 20 happened that you intended to sue them? 21 A I don't remember disclosing to them 22 consideration to do so. 23 MR. SLOVAK: Nothing further. 24 MR. JOHNSON: All right. The plantiff 25 reserves all questions for this witness at trial. 370 1 We want to read and sign. 4 We want to read and sign. 5 We want to read and sign. 5 We want to read and sign. 6 (the provisions provided in the protective order. 7 (DEOGRAPHER: This concludes the deposition of Carson Smith. The time on the momitor is 7:05 p.m.) 6 (Deposition adjourned at 7:05 p.m.) 7 (Deposition adjourned at 7:05 p.m.) 7 (Deposition adjourned at 7:05 p.m.)		1 August 21, 2024
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